

1 JUDGE FRYSIK: September what?

2 MR. KELLY: 12, 1994.

3 JUDGE FRYSIK: All right. I'll receive Exhibit  
4 Five as amended.

5 (Whereupon, the document referred to as  
6 Praise Media Exhibit Number Five was  
7 received into evidence as amended.)

8 MR. KELLY: Now, Ms. Washington, may I turn your  
9 attention to Praise Exhibit Number Six. Do you have any  
10 changes or modifications to make to this exhibit?

11 WITNESS: No, sir.

12 MR. KELLY: Your Honor, at this time, I would move  
13 the admission into evidence of Praise Number Six.

14 MR. ZAUNER: Your Honor, the Bureau would object to  
15 the first paragraph. The document speaks for itself and in  
16 addition, the Bureau would note that the documents which are  
17 attached are the same as the documents contained in Mass Media  
18 Bureau Exhibit One, Attachment One with the sole exception  
19 that there is a -- included in Praise Exhibit Six, a fee  
20 processing form which I don't think is really essential.

21 MR. KELLY: Although it is part of the application  
22 and reflects the received stamp on it.

23 MR. ZAUNER: Fine.

24 MR. KELLY: It is part of the official document, for  
25 whatever it's worth.

1           MR. ZAUNER: In any case, the Bureau doesn't believe  
2 that the first paragraph, which sort of summarizes that  
3 document, is necessary. It's redundant. And in fact, the  
4 Bureau doesn't object to the second paragraph and would  
5 suggest that the only change that would need to be made would  
6 be neither Praise Media nor Mr. or Mrs. Washington were  
7 involved with the station at the time the 1990 renewal  
8 application was filed. And then with the copy of the  
9 -- of that application, the exhibit would be complete without  
10 the first paragraph.

11           MR. KELLY: You know, I think again -- and Mr.  
12 Zauner's my friend. I think his objection is hyper-technical,  
13 but it doesn't -- it doesn't matter. I mean, the facts are  
14 the facts and they'd be in evidence whether you received the  
15 first paragraph or not.

16           JUDGE FRYSIK: All right. I'll sustain the  
17 objection. Strike the first paragraph. I'll receive the  
18 exhibit as amended.

19                               (Whereupon, the document referred to as  
20 Praise Media Exhibit Number Six was  
21 received into evidence as amended.)

22           JUDGE FRYSIK: Anything else, Mr. Kelly?

23           MR. KELLY: Yes, Your Honor. To address -- to  
24 address the issue that you added on your own motion, relative  
25 --

1 JUDGE FRYSIK: What do you mean "own motion"? When  
2 did I do that? What did I do?

3 MR. KELLY: Michael Milhelm informed -- Your Honor,  
4 I don't have an order -- I don't have a Memorandum Opinion and  
5 Order. Mr. Wilhelm, in briefing me on what had transpired in  
6 this case, indicated that you had included some inquiry in  
7 this case as to whether or not this applicant or this company  
8 had informed the Commission when the radio station had gone  
9 off the air. Is my understanding incorrect? Because if it  
10 is, I'll sit down.

11 JUDGE FRYSIK: Well, there's an outstanding motion  
12 to enlarge which had been filed by the Bureau which I had  
13 granted. Is that what you're referring to? Mr. Schonman?

14 MR. SCHONMAN: Yes, Your Honor. I was about to say  
15 that you had ruled on the motion to enlarge, that the motion  
16 is not outstanding. The issues have been added.

17 JUDGE FRYSIK: That's right. And my order was  
18 released on March 2, 1995.

19 MR. KELLY: Well, I was briefed on that and in  
20 reviewing my files to see how we could -- I wanted to beg your  
21 indulgence. I realize that we -- and we exchanged the case  
22 back in October. The issue was added in March, as you just  
23 stated. I have something to try to address that issue while  
24 this witness is here in Washington if I could be permitted to.  
25 It would not take me very long.

1                   And what I have just handed -- I would like to hand  
2 two copies to the court reporter and this is the one-page  
3 letter on the stationary of KARW dated September 13, 1994 and  
4 addressed to the Federal Communications Commission.

5                   JUDGE FRYSIAK: That's your Exhibit Seven?

6                   MR. KELLY: Yeah, I would move that that be marked  
7 as Praise Number Seven.

8                                 (Whereupon, the document referred to as  
9 Praise Media Exhibit Number Seven was  
10 marked for identification.)

11                  MR. KELLY: I'd like to approach the witness to  
12 authenticate this.

13                  JUDGE FRYSIAK: Yes.

14                  MR. KELLY: Let the record reflect that I am showing  
15 the witness a copy of what we've marked for identification as  
16 Praise Number Seven. Do you recognize that document, ma'am?

17                  WITNESS: Yes, sir.

18                  MR. KELLY: And is that your signature on the  
19 document?

20                  WITNESS: Yes, it is.

21                  MR. KELLY: And at this time, I would ask that this  
22 document be admitted into evidence.

23                  JUDGE FRYSIAK: Is that the station going silent?

24                  MR. KELLY: Yes.

25                  JUDGE FRYSIAK: Well, it may be marked as Exhibit

1 Seven. Any objections to it?

2 MR. ZAUNER: Yes, Your Honor. First of all, would  
3 it be possible to see the original of this document? I have a  
4 photocopy in front of me and it looks like there's a line at  
5 the top that's cut off and I would appreciate it if we have an  
6 original.

7 MR. KELLY: Let me see if I can -- let me see if I  
8 can pull that out.

9 JUDGE FRYSIAK: The original would have gone to the  
10 Commission, wouldn't it?

11 MR. KELLY: There's a fax signature on the top of  
12 this item and here it is.

13 JUDGE FRYSIAK: The Commission would have the  
14 original.

15 MR. KELLY: Your Honor, I've been unable to locate  
16 those documents and I want to ask this witness what she did.  
17 I mean, we have a document, she signed it, it appears in files  
18 that Mr. Campbell maintained, and I wanted to ask her what her  
19 personal knowledge is as to this document.

20 JUDGE FRYSIAK: You may ask.

21 WITNESS: There seemed to have been difficulty with  
22 me getting my information to the right office or the right  
23 person. So Mr. Campbell and Mr. Jones suggested that I send  
24 the information to them and they would make sure -- hand-  
25 deliver it or however to the correct office. So that's how I

1 | corresponded.

2 | BY MR. KELLY:

3 | Q So let me just make sure I understand what you did.  
4 | You prepared -- did you type this letter, ma'am?

5 | A Yes, I did.

6 | Q And you signed it.

7 | A Yes.

8 | Q And you sent this letter to Mr. Campbell.

9 | A That's correct.

10 | Q And was it your understanding -- did Mr. Campbell  
11 | tell you that he was filing this document with the Commission?

12 | A Yes.

13 | Q But you have never received back a stamped and filed  
14 | copy which would reflect that it was filed with the secretary  
15 | of the Commission?

16 | A No. I didn't receive anything.

17 | MR. KELLY: And I can represent to Your Honor that I  
18 | was unable to find a stamped and filed copy either in the  
19 | license file. I was permitted to view the correspondence file  
20 | which is not generally kept for public inspection, and it was  
21 | not in there, either. But this appeared in Mr. Campbell's  
22 | files and that's why I feel it was incumbent on me to bring  
23 | this to the -- your attention. With that, I would move the  
24 | admission of this letter.

25 | MR. ZAUNER: Your Honor, the Bureau would object to

1 the admission of this evidence as irrelevant to the issue in  
2 this proceeding. If this document was never filed with the  
3 Commission, then -- it was never filed with the Commission and  
4 the Commission was not notified of the fact that the station  
5 had gone off the air.

6 All that we have here is evidence that a fax signed  
7 by Janet Washington was sent some place and ended up in Alan  
8 Campbell -- apparently in Alan Campbell's files. It's  
9 addressed to Federal Communications -- nobody in the Federal  
10 Communications Commission. Just Federal Communications  
11 Commission. We have evidence -- no evidence that it  
12 was ever mailed. We have no evidence that Mr. Campbell ever,  
13 in any way, provided this document to the FCC. If he didn't  
14 provide it to the FCC, we have no reason as to why he didn't  
15 provide it to the FCC. Maybe it was on -- for reasons that we  
16 just don't know about that may be very relevant here. But at  
17 this point in time, this document, standing by itself, is not  
18 probative on the issues that you've designated.

19 JUDGE FRYSIK: What is that notation up on top  
20 there?

21 MR. KELLY: It is a fax signature. It's a marking  
22 that the fax makes when it sends out the transmission to  
23 another fax machine.

24 JUDGE FRYSIK: Is there a date there at all?

25 MR. ZAUNER: I cannot make one out. It looks like

1 | there's a phone number.

2 |           MR. KELLY: Let me -- can I take a look at -- yeah,  
3 | all there is -- what it says --

4 |           MR. ZAUNER: I think the best -- can we have voir  
5 | dire on this? Maybe we can get an answer to your question,  
6 | Your Honor. May I approach the witness, Your Honor?

7 |           JUDGE FRYSIAK: Yes.

8 |           BY MR. ZAUNER:

9 |       Q     Ms. Washington, I'm going to show you a copy of this  
10 | letter that I think is a little bit more legible across the  
11 | top than the copy that you've got. Could you -- across the  
12 | top, I read Jodac Office Outfitters. Could you tell us who or  
13 | what is Jodac Office Outfitters?

14 |       A     It sells office supplies and it fax's and I had it  
15 | faxed. I signed it and I faxed it and mailed a hard copy  
16 | because he needed to file it right away.

17 |       Q     You took a copy of this letter to Jodac Office  
18 | Outfitters and they faxed it for you? Is that what you're  
19 | saying?

20 |       A     They faxed it to Mr. Campbell's office and then I  
21 | mailed a hard copy.

22 |       Q     You took it to them to fax, okay. Now, there's a  
23 | telephone -- what appears to be a number of some kind, 1-903.  
24 | Do you know -- is 903 an area code that you're familiar with?

25 |       A     That's correct. Longview, Texas.



1 Q That's a Longview area code.

2 A Right.

3 Q Next is the number 753-6043. Does that number mean  
4 anything to you?

5 A Not really, but it could possibly be the number to  
6 Jodac.

7 Q The number of the --

8 A Company.

9 Q -- fax machine that sent the message.

10 A That's correct.

11 JUDGE FRYSIK: Then I have a P.01. Is  
12 that --

13 WITNESS: Page One.

14 MR. ZAUNER: There's also a number at the bottom.  
15 It looks like 37500.03

16 WITNESS: That's Mr. -- that has to do with Mr.  
17 Campbell's --

18 MR. KELLY: I can represent to Counsel that that is  
19 the number on Mr. Campbell's files. In other words, they use  
20 a number system to direct papers to the right files in their  
21 office apparently.

22 MR. ZAUNER: Your Honor, another problem with this  
23 document is that we know that it's dated September 13th, but  
24 we don't know when it was faxed to Mr. Campbell's office. It  
25 could have been faxed just recently. It could have been faxed

1 on or contemporaneous with September 13, 1994.

2 MR. KELLY: You can ask the witness if she knows.  
3 Do you know when you faxed this document, Ms. Washington?

4 WITNESS: September 13th, the same day the station  
5 went dark, and I typed it. The reason --

6 JUDGE FRYSIK: Well, the witness did testify to the  
7 circumstances of how this letter was brought about. It was at  
8 the suggestion of her attorney that it be mailed to him.  
9 That's what she -- she followed his instructions. Is that  
10 correct?

11 WITNESS: That's correct.

12 JUDGE FRYSIK: So the exhibit is probative to the  
13 extent that it shows the state of mind of the witness to  
14 comply with Commission's regulations. So I'll overrule your  
15 objection and receive the exhibit.

16 (Whereupon, the document referred to as  
17 Praise Media Exhibit Number Seven was  
18 received into evidence.)

19 MR. KELLY: Thank you, Your Honor. May I have just  
20 a moment, Your Honor?

21 JUDGE FRYSIK: Well, do you want a short recess?

22 MR. KELLY: Yeah, I would like about -- I would like  
23 about five minutes. I have a few more questions for this  
24 witness to clear up a couple of matters.

25 JUDGE FRYSIK: All right. Let's take a short

1 recess. Five minutes.

2 (Off the record 2:15 p.m.)

3 (On the record 2:20 p.m.)

4 MR. KELLY: I would like to just, Your Honor, ask a  
5 couple more questions along that line, dealing with the issue  
6 that was specified by you on March the 2nd. After you wrote  
7 this letter, and we fixed the date as September 13, 1994, did  
8 you speak with anybody at the Federal Communications  
9 Commission by telephone to tell them that the station was off  
10 the air?

11 WITNESS: I spoke to -- well, I spoke to Mr. Dezac -  
12 -

13 JUDGE FRYSIK: I didn't catch the name.

14 MR. KELLY: She's having a problem -- may I  
15 pronounce the name and see if she gets it? Mr. Charles  
16 Dziedzic?

17 WITNESS: Yes. And he said to me he worked for the  
18 Communication and he couldn't talk to me or he didn't advise  
19 me to talk to him. And so I spoke to a lady named Claudine  
20 and I spoke to another gentleman, Mr. Burtle, and I've spoke  
21 to several people, and I've been transferred from place to  
22 place, and my attorneys just told me to let them -- just fax  
23 everything to them and they'll take care of it because I never  
24 could find out who to send what to.

25 MR. KELLY: Now, Ms. Washington, to date --

1           MR. ZAUNER: Could we get a point of information on  
2 this -- this phone call? Approximately when did you make  
3 these phone calls?

4           WITNESS: When I started having problems with the  
5 station and I was informed that I needed to contact the FCC  
6 whenever we were going to be off the air for any amount --

7           JUDGE FRYSIK: Who informed you?

8           WITNESS: -- of time. I talked to all my attorneys  
9 for when the one person -- when people -- the person that  
10 informed me and another friend that has a radio station told  
11 me.

12          MR. ZAUNER: Let me ask again. The question was --  
13 you said that you called a Mr. Dziedzic at the FCC, you called  
14 a lady named Claudine, and you spoke with a Mr. Burtle.  
15 Around when was it that these phone calls were made?

16          WITNESS: This was shortly after the station was off  
17 the air.

18          MR. ZAUNER: Was it within a week? Two weeks?

19          WITNESS: Oh, no. It was a day, a day or so.  
20 Probably a couple of days because I can never -- numbers are  
21 always disconnected and changed and --

22          MR. KELLY: Are you satisfied? If not, you can have  
23 her in cross examination.

24          MR. ZAUNER: Right. This is not in lieu of cross  
25 examination. This was just a -- I thought while you were

1 asking the question, we ought to get the date simultaneously  
2 so it's all in one place in the record.

3 MR. KELLY: I'd like to turn to another subject if I  
4 could. I'd like to have the record reflect, Ms. Washington,  
5 how much money has been invested either by yourself or on your  
6 behalf with respect to radio station KARW to date?

7 WITNESS: Are we not counting paying for the station  
8 or are we talking monies that we just put in for repair and --

9 MR. KELLY: Monies that you -- total monies that  
10 you've expended to date ever since you got involved with the  
11 project.

12 MR. ZAUNER: I'm going to object on the grounds of  
13 relevancy.

14 MR. KELLY: I think that -- you know, one of the --  
15 you know, in deciding whether or not to renew this license,  
16 Your Honor's going to have to make the determination of  
17 whether the public interest convenes necessity and will be  
18 served thereby and also, whether innocent people are going to  
19 be hurt in the event that you decide to revoke the license.

20 I would like the record to reflect we have a  
21 minority broadcaster. The Commission has encouraged  
22 minorities to come forward in broadcasting. And I'm just --  
23 I'd just like to have this in the record because I think it's  
24 significant.

25 JUDGE FRYSIK: Well, you can add that in -- you can

1 add your speech to the proposed conclusions.

2 MR. KELLY: Thank you, Your Honor.

3 JUDGE FRYSIK: But I will admit that as evidence  
4 indicating the seriousness of intent to be involved in the  
5 radio programming station.

6 MR. KELLY: My question is, ma'am, from the time  
7 that you first learned of the availability or the opportunity  
8 to be involved with Station KARW to the present -- to the  
9 present, how much money -- dollars have been expended by you?

10 WITNESS: I would say we've put close to \$200,000  
11 into the station.

12 MR. KELLY: Have you made plans to return the  
13 station to the air?

14 WITNESS: Yes, I have. I made plans to -- and I'd  
15 like to reiterate that the equipment in the station has been  
16 there since 1948. We've had quite a few problems. They do  
17 not manufacture that equipment anymore. We have to find parts  
18 and pieces that are compatible which has caused the station  
19 quite a bit of problems. I've made plans to remove that  
20 equipment and update the equipment and I've gotten the funding  
21 for that.

22 MR. KELLY: I'm sorry. The what? What was the word  
23 you used?

24 WITNESS: Funding.

25 MR. KELLY: Finding?

1 JUDGE FRYSIAK: Funding. Additional funding.

2 MR. KELLY: Funding. I'm sorry.

3 WITNESS: Right. To just refurbish the station as  
4 far as the equipment because it's old and outdated and it has  
5 cost quite a bit of money to repair constantly.

6 BY MR. KELLY:

7 Q Can you tell us, relative to funding, what you've  
8 done?

9 A Excuse me. What do you mean?

10 Q I'm not trying to lead you. Can you just tell the -  
11 - for the record, what your sources of funding are to return  
12 the radio station to the air?

13 A Well, I've contacted the equipment -- the person to  
14 put the equipment in and the type of equipment that I need. I  
15 have the company that's ready, the money in escrow to get the  
16 equipment. My only hold-up is I didn't want to put \$50,000 or  
17 \$60,000 into the station and then I didn't get the station  
18 because I've already lost, you know -- but if things work out  
19 here and everything go okay, the station will be ready to  
20 return to air, the signal will be cleaned up. What I mean,  
21 cleaned up, the equipment is old. It's been there since 1948.  
22 We need modern equipment.

23 Q Let me now ask you this question. Is it your  
24 intention to file the proper application with the Federal  
25 Communications Commission to seek the FCC's consent to the

1 assignment of license of KARW to Praise Media, Inc.?

2 A Yes, it is.

3 Q When do you intend to file that application?

4 A As soon as possible. Today.

5 Q Did I show you a copy of the form?

6 A Yes, you showed me a copy.

7 Q And have -- and have we made plans, after the  
8 conclusion of this hearing, to commence the preparation of  
9 that application?

10 A I do plan to.

11 Q And do you also intend to file what we -- what we  
12 lawyers call a request for a special temporary authorization -  
13 -

14 A Yes.

15 Q -- to return the station to the air pending FCC  
16 approval of the assignment of license application?

17 A Yes.

18 Q And when do you intend to make that request?

19 A I'd like to make a request to return to the air  
20 today. I mean, when I get back.

21 JUDGE FRYSIK: As soon as you're -- as soon as  
22 possible. Is that what you said?

23 WITNESS: Yes, as soon as possible.

24 MR. KELLY: Your Honor, with that, I have no further  
25 testimony on direct.



1           MR. ZAUNER: Your Honor, this has been sort of a  
2 unique way of presenting the evidence. Ordinarily we would  
3 have this testimony in advance, but given the nature of this  
4 case and the way it has developed, of course, that wasn't  
5 possible and we haven't objected, of course, to the questions  
6 that have been asked. But I would request Your Honor's  
7 permission to have some voir dire as if this had been a  
8 written testimony.

9           JUDGE FRYSIK: Yes, you may have a cross  
10 examination.

11           MR. ZAUNER: Well, that -- I have some -- these  
12 statements are being made and there's no -- there's -- I have  
13 questions as to their validity and as to whether or not there  
14 are sources of evidence to support these statements, and if I  
15 may just ask one in the line of voir dire and not foreclose  
16 later cross examination. At this point, it's just --

17           JUDGE FRYSIK: All right.

18                               DIRECT EXAMINATION

19           MR. ZAUNER: You indicated that you have put  
20 \$200,000 into this station.

21           WITNESS: I would say approximately.

22           MR. ZAUNER: Do you have any documentary evidence of  
23 that kind of an investment in the station?

24           WITNESS: I probably could get you some receipts.  
25 Half of the receipts were sent to Eugene and then the station

1 was vandalized, as I stated, and police records will show  
2 that, and they took quite a few records of -- they wrecked the  
3 place and they just took a lot of files and a lot of my --

4 JUDGE FRYSIK: The question was regarding the  
5 \$200,000. Did you sign notes? Did you pay cash?

6 WITNESS: Well, I got loans. I have some loans that  
7 I put and I did pay cash for --

8 JUDGE FRYSIK: Could you be specific?

9 WITNESS: Well, I got some personal loans for some -  
10 - from -- \$16,00 from one person, \$10,000 from a person, I got  
11 \$5,000 from another person. We have -- I'm getting \$150,000  
12 loan as we speak now. The equipment -- like tubing, we're  
13 always blowing tubes which is one tube is \$750. We've had to  
14 replace tubes constantly. Those things were cash. I had to  
15 pay cash for those.

16 We got struck by lightening for some reason,  
17 engineering costs, just equipment costs. We were vandalized -  
18 - well, more than once, and someone took all of the equipment  
19 as far as protection. The CD players, the compact players,  
20 those things had to replace -- be replaced by me.

21 BY MR. ZAUNER:

22 Q You indicated that you took a \$15,000 loan, a  
23 personal loan, from another individual.

24 A That's correct.

25 Q Did you sign any papers agreeing to repay that loan?

1 Did you sign a note?

2 A No, I didn't sign a note. The person was helping me  
3 out and he -- but it's under the understanding that it is a  
4 loan. I could get information from that person.

5 Q Who is that person?

6 A His name is Ricardo Hillburn.

7 Q You also said you had taken a \$7,000 personal loan.

8 A \$10,000 personal loan. \$10,000 personal loan.

9 Q \$10,000?

10 A Yes.

11 Q And did you sign any note in connection with that?

12 A I got that from the bank. A person co-signed for me  
13 and then he paid it off and I agreed to pay him off. His name  
14 is Dr. William Mitchell.

15 Q You indicated that you had made arrangements to  
16 receive a \$150,000 loan. Is that correct?

17 A That's correct.

18 Q Have you received that money yet?

19 A No, I haven't.

20 Q Is that \$150,000 part of the \$200,000 that you're  
21 talking about?

22 A No, it isn't. I'm speaking of the tower paintings  
23 that we had, emergency broadcast system. We had to buy a  
24 back-up transmitter.

25 Q The answer to the question is no, correct?

- 1           A     No.
- 2           Q     So we've got -- you said you put in \$200,000 and  
3 we've got \$15,000 and \$10,000. That's \$25,000.
- 4           A     The property itself was \$110,000.
- 5           Q     You still owe on that property.
- 6           A     \$25,000 which will be paid this week.
- 7           Q     You have paid off all but \$25,000 of the \$110,000  
8 purchase price?
- 9           A     All but \$25,000.
- 10          Q     Where did you get the money to pay that off?
- 11          A     We paid it -- we had a \$2,500 note --
- 12          Q     Do you mean -- \$2,500 or \$25,000?
- 13          A     A \$2,500 --
- 14          Q     Two thousand, five hundred?
- 15          A     Right. And we had taxes that we had to pay, pay the  
16 note and pay taxes, and we got the money through work in the  
17 station and Eugene did help through his company, Shabazz  
18 Meats.
- 19          Q     Do you have -- when you made these payments on the  
20 \$110,000 note, did you receive back -- these payments were  
21 made to Dr. Wren?
- 22          A     That's correct.
- 23          Q     Were they made in the form of checks?
- 24          A     Cashier's checks.
- 25          Q     Do you have copies of the checks showing that, in

1 fact, you made these payments?

2 A I don't have copies.

3 Q Who would have copies of those checks?

4 A They were -- the copies -- the copies of the checks  
5 or the cashier's check was confiscated.

6 Q Was confiscated?

7 A Yes, they were.

8 Q By whom?

9 A By the FBI. I had sent them to Eugene.

10 Q So these are records that were in Eugene's  
11 possession?

12 A Yes, they were.

13 Q And it was Eugene who was, in essence, paying this  
14 \$85,000. Is that not correct?

15 A No. Eugene wasn't -- was not actually paying all of  
16 the money. We were paying the money. Well, I paid the money.  
17 Bishop Noel Jones had loaned some money whenever we fell short  
18 and the station did make money.

19 Q Well, of the \$85,000 that was paid, what portion was  
20 paid by Mr. Washington?

21 A Well, we used all of our savings, my son's savings,  
22 and my savings.

23 Q My question is what percentage of the \$85,000 was  
24 paid by Eugene Washington?

25 A I can't really give you a figure as to how much

1 Eugene paid because Eugene only --

2 Q Well, let me ask how much did you pay?

3 A I would say I paid over half of that through station  
4 funds and through loans and stuff. Eugene only helped when  
5 there was -- I could not make it, when it was like I don't  
6 have enough money to pay this. We didn't make any. And then  
7 he would -- he would assure me that it was a loan to me.

8 Q And Mr. Washington is not available to testify here  
9 today. Is that not correct?

10 A He's not available. That's correct.

11 Q Where is Mr. Washington?

12 A He's incarcerated.

13 Q And do you know on what charges?

14 A I'm not really sure as to what the charges are. I  
15 do know that there is conspiracy and the reason I don't know  
16 is because we live two separate lives. I lived in east Texas.  
17 He lived in Chicago. I didn't really get into his personal  
18 life and --

19 Q Do you know whether the charges have anything to do  
20 with drug possession or drug dealing?

21 A I can't answer that because I really don't know for  
22 sure. I never visited and I don't know what life he led.

23 Q You testified that you -- that you contributed to  
24 paying down the loan more than half of the \$85,000. What you  
25 meant by that was you, through the operation of the station

1 and monies earned through the operation of the station, paid -  
2 -

3 A That's correct.

4 Q -- paid that.

5 A And my savings and that nature, loans and things  
6 like that.

7 Q Did you withdraw the money that you made to make  
8 this payment from a bank?

9 A No, I didn't withdraw the money. I had some money  
10 put away and the reason that it was not in a bank, because I  
11 was going through a divorce. Well, it was my intent to go  
12 through with a divorce and I -- and this is kind of personal,  
13 but I was married to a gentleman that needed to have total  
14 control over me and my finances. So I did not put all the  
15 monies I had in the bank.

16 Q Was this money in the station's account?

17 A No. There was some -- now, the station's money was  
18 in the station's account.

19 Q Do you have any evidence or documents that would  
20 show withdrawals from the station account of monies to  
21 contribute to the payment of this loan, \$110,000 loan that you  
22 owed on?

23 A Sure. Sure, I'm sure the bank -- I could get some  
24 information from the bank. But as I stated, my files that I  
25 had, my file cabinet was broke into. There were -- all the

1 documents were taken. There were even contracts that I had  
2 from people that was taken.

3 Q When was that -- when did that robbery occur?

4 A Oh, we had a robbery and we had one in November and  
5 we had another one in December.

6 Q November of 1994.

7 A That's correct.

8 Q And another one in December of 1994 after the  
9 station was off the air.

10 A That's correct.

11 JUDGE FRYSIK: What location were the robberies?  
12 At the station?

13 WITNESS: Yes.

14 BY MR. ZAUNER:

15 Q So, let me see if I understand this right. Any  
16 documents that Eugene would have that could corroborate your  
17 story have been confiscated by the FBI. Any documents that  
18 you might have that could corroborate your story were stolen  
19 during robberies that happened in November and December of  
20 1994.

21 A That's correct.

22 Q So there's -- now, in addition to the \$85,000 -- was  
23 any of the \$15,000 and the \$10,000 you received in notes used  
24 toward the paying down of this loan from Dr. Wren, the  
25 \$110,000 note?



1 A Do you mean the \$16,000 and the \$10,000?

2 Q I thought you testified \$15,000.

3 A No, \$16,000.

4 Q It's \$16,000, one, six?

5 A Yes.

6 Q And then there was a second loan for ten.

7 A Yes.

8 Q I stand corrected then. Was any of this \$26,000  
9 used towards the paying down of the \$110,000 loan?

10 A Yes. The majority of that was used towards it.

11 Q Now, you testified that you had put \$200,000 into  
12 the station. Where did the rest of the money come from?

13 A That is just an estimate of I would say \$200,000. I  
14 cannot be accurate, but I would say about \$200,000. We did  
15 things such as -- we had teen dances, we had concerts. You  
16 can have a concert -- and I'm sure you already know of this.  
17 If a group is promoting their new album, they will come and do  
18 a concert for you to promote their album, and we charge for  
19 that. We had them in concert and we charged for it.

20 Since we played gospel, we also could have gospel  
21 concerts. So it was like -- I call it fund-raising. You  
22 know, we had to do extra-curricular, too. We had remotes  
23 which we did good. Our remote was \$250 an hour. We had to do  
24 a minimum of two hours, at least two hours for you.

25 Q So you're saying that the station picked up